

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

GREGORY KEITH SWALLOW,

PLAINTIFF,

VS.

NO. 1:23-cv-01044-STA-jay

**LPS EQUIPMENT AND ACQUISITION COMPANY, INC.,
LPS REAL ESTATE AND DEVELOPMENT COMPANY, LLC,
AND CHARLES DAVID LEPINSKI,**

DEFENDANTS.

ORDER ON MEDIATION CERTIFICATION

Before the Court is the Mediation Certification (ECF No. 29) filed February 1, 2024. The mediator reports that the parties have reached an agreement to resolve their dispute. Local Rule 83.13(b) requires the parties to any civil action to promptly notify the presiding judge if they reach a settlement. In this case, the Mediation Certification satisfies the requirements of Rule 83.13(b). In light of the settlement, the jury trial set for August 26, 2024, and the pre-trial conference set for August 16, 2024, will be removed from the calendar.

The Mediation Certification indicates that the parties intend to file a motion for court approval of the settlement of Plaintiff's Fair Labor Standards Act ("FLSA") claims and a stipulation of dismissal. *See Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1353 (11th Cir. 1982) (holding that parties must seek court approval for a proposed settlement of an FLSA claim). Rule 83.13(b) gives the parties twenty-eight (28) days to file a final stipulation or motion for dismissal following a settlement. In this instance, the Court will give the parties twenty-eight

(28) days from the entry of this order in which to file a motion for court approval of their settlement.

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. Thomas Anderson
United States District Court Judge

Date: February 2, 2024